UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,096	10/28/2003	Lawrence Wilcock	B-5270 621384-7	6622

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER
CHEN, WENPENG

ART UNIT	PAPER NUMBER
2624	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/696,096	WILCOCK ET AL.
	Examiner	Art Unit	
	Wenpeng Chen	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 February 2008*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-64* is/are pending in the application.

    4a) Of the above claim(s) *19-31 and 51-61* is/are withdrawn from consideration.

5)☒ Claim(s) *4-8* is/are allowed.

6)☒ Claim(s) *1-3, 17-18, 32-36, 49-50, and 62-64* is/are rejected.

7)☒ Claim(s) *9-16 and 37-48* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

Examiner's responses to Applicant's remark

1.   Applicants' amendments filed on 2/11/2208 overcome the followings set forth in the previous office action:

-- the objection to specification.

2.   Applicants' arguments filed on 2/11/2208 have been fully considered but they are not persuasive. The Examiner has thoroughly reviewed Applicants' arguments but firmly believes that the cited reference to reasonably and properly meet the claimed limitation.

Applicants' argument -- Clustering in Valleriano is done on the basis of the persons appearing in a single image rather than using "said location parameters to associate image capture events into one or more clusters" as required by claims 1 and 34.

Examiner's response -- The Examiner disagrees. As discussed in paragraphs [0048]-[0054], location ID tags are read to provide location information of image-capturing station and stage. Valleriano teaches clearly in paragraph [0053] and Fig. 6 that a stage location tag ID is used as a leading separator to separate clusters representing different group such as T1-T3 and T4-T9. Further in paragraph [0060], Valleriano teaches using location tag ID to separate groups of records for the event data. Therefore, Valleriano teaches not only "said location parameters to associate image capture events into one or more clusters" but also the newly amended feature "said location parameters to associate image capture events into one or more location-based clusters".

Claim Rejections - 35 USC § 102

3.　Claims 1-3, 17-18, 32-36, 49-50, and 62-64 are rejected under 35 U.S.C. 102(e) as being

anticipated by Valleriano et al. (US 20040075752 A1).

Valleriano teaches an image-capture event monitoring method comprising the steps of:

-- for Claim 1, (a) receiving, from multiple different sources, image-capture event

notifications and deriving from each notification a location parameter indicative of where an

image capture event has occurred; (sections 0046, 0052-0054; Fig. 4; Multiple stations 54 and

stages 56 are the sources. Location IDs of the sources, other information, and captured image are

delivered to equipment 61. The location IDs and other information are image-capture event

notifications to notify the capture related data.)

-- for Claim 1, (b) using said location parameters to associate image-capture events into

one or more location-based clusters; (sections 0056, 0060; The location information is as a

separator to generate clusters of event. Also see Examiner's response above.)

-- for Claim 1, (c) analyzing a said cluster of image-capture events in dependence on at

least one further parameter of each event. (section 0062; Analysis is done to find the images

associated a person in the clusters through his tag ID.)

-- for Claim 2, wherein in step (c) said at least one further parameter comprises a time

indicative of when a said event occurred; (section 0052)

-- for Claim 3, wherein the time indicative of when a said event occurred is provided by

one of:

- a timestamp generated at the time of image capture by apparatus effecting the image

capture event, the timestamp being included in the image-capture event notification; (section

0052)

- a timestamp indicative of the time of transmission of the image-capture event

notification from the corresponding source;

- the time of receipt in step (a) of the corresponding image-capture event notification;

(section 0052)

-- for Claim 17, wherein events over a predetermined age are discarded at least for the

purposes of step (c); (section 0056; The images are grouped first for a stage and then clustered

according to time. Pictures before the time are discarded from the particular cluster.)

-- for Claim 18, wherein for the purposes of step (c), events over a predetermined age are

given reduced weight as compared to other events of the same cluster; (sections 0056-0057; The

images are grouped first for a stage as a first cluster and then grouped further into sub-clusters

according to time. Pictures before a time identified by the time gap are discarded from a cluster

corresponding to a particular group of participants, namely they given a reduced weight down to

zero.)

-- for Claim 32, in which results of the analysis carried out in step (c) are sent to a remote

party in response to an information request. (sections 0024, 0037; When a customer requests

information on-line for potential purchase, the results are sent remotely through network.)

The above-cited passages and section 0024 (the Kodak EPX is a server.) teaches the

method of Claim 33.

Valleriano teaches a service system for monitoring image-capture events, the system comprising:

-- for Claim 34, an input interface for receiving, from multiple different sources, image-capture event notifications and for deriving from each notification a location parameter indicative of where an image-capture event has occurred; (sections 0046, 0052-0054; Fig. 4; Multiple stations 54 and stages 56 are the sources. Location IDs of the sources, other information, and captured image are delivered to equipment 61. The location IDs and other information are image-capture event notifications to notify the capture related data.)

-- for Claim 34, a data store for storing data derived from said event notifications; (element 60 of Fig. 4)

-- for Claim 34, a first processing arrangement for using said location parameters to associate image-capture events into one or more clusters; (sections 0056, 0060; The location information is as a separator to generate clusters of event.)

-- for Claim 34, a second processing arrangement for analyzing a said cluster of image-capture events in dependence on at least one further parameter of each event. (section 0062; Analysis is done to find the images associated a person in the clusters through his tag ID.)

-- for Claim 35, wherein the said at least one further parameter in dependence upon which the second processing arrangement is arranged to carry out its analysis of said cluster, comprises a time indicative of when a said event occurred.; (section 0052)

-- for Claim 36, wherein the time indicative of when a said event occurred is provided by a timestamp included in the corresponding image-capture event notification, the input interface being arranged to store this timestamp and the second processing means being arranged to

receive the timestamp from the data store as required for carrying out its analysis of the corresponding event cluster; (section 0052)

-- for Claim 49, wherein the system is arranged to discard events over a predetermined age at least for the purposes of the analysis which the second processing arrangement is arranged to effect; (section 0056; The images are grouped first for a stage and then clustered according to time. Pictures before the time are discarded from the particular cluster.)

-- for Claim 50, wherein the second processing arrangement is arranged to give events over a predetermined age a reduced weight as compared to other events of the same cluster; (sections 0056-0057; The images are grouped first for a stage as a first cluster and then grouped further into sub-clusters according to time. Pictures before a time identified by the time gap are discarded from a cluster corresponding to a particular group of participants, namely they given a reduced weight down to zero.)

-- for Claim 62, wherein the said at least one further parameter comprises a camera setting value; (header data in Fig. 7)

-- for Claim 63, wherein said camera setting is focus distance; (header data in Fig. 7: focus setting)

-- for Claim 64, further comprising a request handler for sending results of the analysis carried out by the second processing arrangement to a remote party in response to an information request. (sections 0024, 0037; When a customer requests information on-line for potential purchase, the results are sent remotely through network.)

Allowable Subject Matter

4. (1) Claims 4-8 are allowed. (2) Claims 9-16 and 37-48 are objected to as being dependent

upon a rejected base claim, but would be allowable if rewritten in independent form

including all of the limitations of the base claim and any intervening claims.

The statement of reasons for the indication of allowable subject matter has been provided

in the previous office action.

Conclusion

5.   THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). The Applicant is

reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE

MONTHS from the date of this action. In the event a first response is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR

1.136(a) will be calculated from the mailing date of the advisory action. In no event will the

statutory period for response expire later than SIX MONTHS from the date of this final action.

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Wenpeng Chen whose telephone number is 571-272-7431. The

examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 571-272-7453. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications. TC 2600's customer service number is 571-272-2600.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

/Wenpeng Chen/
Primary Examiner, Art Unit 2624

April 24, 2008